

Exhibit B

Subject: 2019-03-19 Email from D. Cohen to JDG re Expert Report due dates

From: David R. Cohen (David@SpecialMaster.Law) <david@specialmaster.law>
Sent: Tuesday, March 19, 2019 5:38 PM
To: [Dan Polster@ohnd.uscourts.gov](mailto:Dan_Polster@ohnd.uscourts.gov); Scott Loge <andrew_loge@ohnd.uscourts.gov>; Cathy Yanni <cathy@cathyanni.com>; Francis McGovern <McGovern@law.duke.edu>; Mary Hughes <mary_hughes@ohnd.uscourts.gov>; mdl2804discovery@motleyrice.com; xALLDEFENDANTS-MDL2804-Service@arnoldporter.com
Subject: [EXT] Expert Report due dates

Dear Counsel:

On March 13, 2019, I received a letter from plaintiffs asking for an extension of "time to complete and serve expert reports related solely to the issue of SOMS and anti-diversion compliance to two weeks following the completion of the U.S. Drug Enforcement Administration depositions." The current deadline for all of plaintiffs' expert reports is March 25, 2019.

As of today, defendants have not filed any response to Fuller's letter, although plaintiffs note that defendants rejected plaintiffs' request for extension of time. Given the proximity of the due date, a ruling is appropriate.

Plaintiffs recite numerous reasons for the requested extension, the most compelling of which (to me) are: (1) due in part to the government shut-down, depositions of DEA personnel will not be complete until mid-April; and (2) as to at least defendant Cardinal, production of numerous documents related to SOMS and due diligence took place as recently as last week, and other documents regarding which the Court recently ruled privilege was waived are still to be produced. Obviously, this discovery represents important facts upon which compliance experts would rely.

It is my understanding that plaintiffs intend to file roughly 20 expert reports total, and no more than 4 of those are related to SOMS and anti-diversion compliance.

Taking all of this into account, I hereby rule as follows:

Plaintiffs motion for extension of time is **granted in part**, as follows. Plaintiffs may file their expert reports related to the issue of SOMS and anti-diversion compliance -- no more than 4 such expert reports -- on or before April 15, 2019. All other expert reports remain due on March 25, 2019.

Whether and the extent to which any given defendant will receive a like extension of time will be determined after the filing of plaintiffs' reports.

-David

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